

AN ACT
D.C. ACT 24-735

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JANUARY 10, 2023

To amend the District of Columbia Commission for Women Act of 1978 to require that all District government agencies conduct gender analyses every 2 years, to require the Commission for Women to develop a citywide action plan to eliminate discrimination against women, and to require the Commission for Women to provide training on gender equity and human rights to District government employees.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Elimination of Discrimination Against Women Amendment Act of 2022”.

Sec. 2. The District of Columbia Commission for Women Act of 1978, effective September 22, 1978 (D.C. Law 2-109; D.C. Official Code § 3-701 *et seq.*), is amended as follows:

(a) A new section 2a is added to read as follows:

“Sec. 2a. Definitions.

“For the purposes of this act, the term:

“(1) “CEDAW” means the Convention on the Elimination of All Forms of Discrimination Against Women, as adopted by the United Nations General Assembly.

“(2) “Commission” means the Commission for Women established in section 3.

“(3) “Gender” means the socially constructed characteristics and needs for women, men, and those who are nonbinary in a society.

“(4) “Gender equity” means the fair treatment and distribution of opportunities and resources for women, men, and those who are nonbinary according to their respective needs.

“(5) “Gender identity or expression” shall have the same meaning as provided in section 102(12A) of the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C. Official Code § 2-1401.02(12A)).”.

“(6) “Intersectionality” means an analytical framework for understanding the ways in which systems of inequality based on gender, race, ethnicity, sexual orientation, gender identity, disability, class, and other forms of discrimination intersect to create unique dynamics and effects.

“(7) “PII” means Personal Identifiable Information that can be used to distinguish or trace an individual’s identity, either alone or when combined with other personal or identifying information that is linked or linkable to a specific individual, including name, birthdate, race, ethnicity, sex, gender, gender identity or expression, age, social security number, address, marital status, educational history, salary, job title, telephone numbers, disability, medical history, email addresses, computer passwords, spouse name, financial information, credit card numbers, bank account numbers, and biometric identifiers such as fingerprints, voiceprints, and iris scans.

(b) Section 4 (D.C. Official Code § 3-703) is amended as follows:

(1) Subsection (a)(1) is amended by striking the phrase “sex role” and inserting the word “gender” in its place.

(2) A new subsection (a-1) is added to read as follows:

“(a-1)(1)(A) Each District agency shall conduct a gender analysis, pursuant to guidelines developed by the Commission, and provide a report including the results of the analysis to the Mayor, the Council, and the Commission, not later than 6 months after the applicability date of the Elimination of Discrimination Against Women Amendment Act of 2022, passed on 2nd reading on December 6, 2022(Enrolled version of Bill 24-649) (“Amendment Act”), and every 2 years thereafter, that shall include:

“(i) Data on gender disparities, including data on salaries, job titles, and promotional timelines, disaggregated by sex, race, ethnicity, age, familial status, marital status, sexual orientation, gender identity, immigration status, and disability; provided, that data shall be collected, stored, aggregated, and presented in a way that protects any PII from disclosure;

“(ii) An evaluation of gender equity in the agency’s operations including its budget allocations, delivery of direct and indirect services, staff salaries and benefits, and employment practices; and

“(iii) A review of the agency’s efforts to integrate the human rights principles identified in the CEDAW into its policies and practices.

“(B) The Commission shall review each agency’s gender analysis and provide recommendations to the Mayor and the Council for corrective action where efforts to attain gender equity are found to be lacking by the Commission not later than 3 months after receipt of each agency’s gender analysis pursuant to subparagraph (A) of this paragraph and shall publish its recommendations online.

“(C) Each District agency shall designate a liaison to the Commission to coordinate the completion of the gender analysis to receive training, and the Commission shall publicly post a list of current liaisons online not later than 3 months after the applicability date of the Amendment Act, and annually thereafter.

“(D) The Commission shall provide guidelines to the liaisons designated pursuant to subparagraph (C) of this paragraph on how to conduct gender analyses and provide technical assistance throughout the gender analysis process.

“(2) The Commission shall develop and publish online a citywide action plan to address and correct any deficiencies identified in the gender analyses conducted pursuant to paragraph (1) of this subsection and integrate the CEDAW principles of equality of rights and respect for human dignity to further local implementation not later than one year after the applicability date of the Amendment Act, and every 5 years thereafter. The Commission shall submit each citywide action plan to the Mayor and the Council.

“(3) The Commission shall make training available to all District government employees not later than 4 months after the applicability date of the Amendment Act, and annually thereafter. District government employees shall complete training at least once during employment, in the following areas:

“(A) The principles of equality of rights and respect for human dignity as described in CEDAW;

“(B) Gender bias and stereotyping and how they can lead to inequities in the workplace;

“(C) The right to promotion, job security, and all benefits and conditions of employment, regardless of gender identity or expression or familial status;

“(D) Content regarding violence against women and girls, where appropriate, with a perspective sensitive to gender diversity;

“(E) The intersectionality of gender and race to create unique dynamics and effects;

“(F) Opportunities for participants to practice the gender-inclusive skills that will be expected of them; and

“(G) How to report incidents of discrimination.”.

Sec. 3. Applicability.

(a) This act shall apply upon the date of inclusion of its fiscal effect in an approved budget and financial plan.

(b) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect in an approved budget and financial plan, and provided notice to the Budget Director of the Council of the certification.

(c)(1) The Budget Director shall cause the notice of the certification to be published in the District of Columbia Register.

(2) The date of publication of the notice of the certification shall not affect the applicability of the act.



Sec 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

ENROLLED ORIGINAL

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.


Chairman
Council of the District of Columbia
Mayor
District of Columbia
APPROVED
January 10, 2023



COUNCIL OF THE DISTRICT OF COLUMBIA
WASHINGTON, DC, 20004

Docket No. B24-0649

[X] ITEM ON CONSENT CALENDAR

[X] ACTION

First Reading, CC

[X] VOTE DATE

November 15, 2022

[] VOICE VOTE

RECORDED VOTE ON REQUEST

ABSENT

Cheh

[X] ROLL CALL VOTE – Result

Approved

Council Member	Aye	Nay	NV	AB	Rec	Council Member	Aye	Nay	NV	AB	Rec	Council Member	Aye	Nay	NV	AB	Rec
Chairman Mendelson	X					Henderson	X					R. White	X				
Allen	X					Lewis George	X					Silverman	X				
Bonds	X					McDuffie	X					T. White	X				
Cheh				X		Nadeau	X										
Gray	X					Pinto	X										
X - Indicate Vote					AB – Absent					NV - Present, Not Voting					Rec - Recused		

CERTIFICATION RECORD


 Secretary to the Council

12-8-22
 Date

Docket No. B24-0649

[X] ITEM ON CONSENT CALENDAR

[X] ACTION

Final Reading, CC

[X] VOTE DATE

December 6, 2022

[] VOICE VOTE

RECORDED VOTE ON REQUEST

ABSENT

Gray

[X] ROLL CALL VOTE – Result

Approved

Council Member	Aye	Nay	NV	AB	Rec	Council Member	Aye	Nay	NV	AB	Rec	Council Member	Aye	Nay	NV	AB	Rec
Chairman Mendelson	X					Henderson	X					R. White	X				
Allen	X					Lewis George	X					Silverman	X				
Bonds	X					McDuffie	X					T. White	X				
Cheh	X					Nadeau	X										
Gray				X		Pinto	X										
X - Indicate Vote					AB – Absent					NV - Present, Not Voting					Rec - Recused		

CERTIFICATION RECORD


 Secretary to the Council

12-8-22
 Date